

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation into the Gas Market Activities of Southern California Gas Company, San Diego Gas and Electric, Southwest Gas, Pacific Gas and Electric, and Southern California Edison and their impact on the Gas Price Spikes experienced at the California Border from March 2000 through May 2001.

Investigation 02-11-040
(Filed November 21, 2002)

**ASSIGNED COMMISSIONER AND ADMINISTRATIVE LAW JUDGE'S
RULING ESTABLISHING AN EX PARTE COMMUNICATIONS BAN**

As discussed at the December 22, 2005 prehearing conference, we believe that it is appropriate to establish, pursuant to Rule 1.6 of the Commission Rules of Practice and Procedure (Rules), a ban on any and all ex parte communications in this proceeding. The continued need for this ex parte communications ban may be revisited in the future.

The Commission's ex parte rules are found in Article 1.5 of the Rules. Relevant definitions include the following:

"Ex parte communication" means a written or oral communication on any substantive issue in a covered proceeding, between a party and a decisionmaker, off the record and without opportunity for all parties to participate in the communication. (Rule 1.1(g).)

"Party" means any applicant, protestant, respondent, petitioner, complainant, defendant, interested party who has made a formal appearance in the proceeding, or Commission staff of record in covered proceedings, and their agent(s) or employee(s). A member of the public who is not acting as the agent or employee of a party is not a party. (Rule 1.1(h).)

“Decisionmaker” means any Commissioner, Commissioner’s Personal Advisor(s), the Chief Administrative Law Judge, any Assistant Chief Administrative Law Judge, and any Administrative Law Judge assigned to the proceeding. (Rule 1.1(e).)

Accordingly, **IT IS RULED** that, pursuant to Commission Rule 1.6, any and all ex parte communications with Commission decisionmakers regarding Investigation 02-11-040 are prohibited, consistent with Article 1.5 of the Commission Rules.

Dated December 29, 2005, at San Francisco, California.

/s/ GEOFFREY F. BROWN
Geoffrey F. Brown
Assigned Commissioner

/s/ CHARLOTTE F. TERKEURST
Charlotte F. TerKeurst
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Assigned Commissioner and Administrative Law Judge's Ruling Establishing an Ex Parte Communications Ban on all parties of record in this proceeding or their attorneys of record.

Dated December 29, 2005, at San Francisco, California.

/s/ KE HUANG

Ke Huang

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.